

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CUNNINGHAM v. SOUTH CENTRAL)	CASE NO.
BELL TELEPHONE COMPANY)	<u>8307</u>

ORDER

On August 5, 1981, the Commission received certain correspondence from Mr. Bill Cunningham, Commonwealth Attorney for the 56th Judicial District, Eddyville, Kentucky. The complaint is that South Central Bell Telephone Company has refused to comply with a provision in its tariff currently on file with this Commission, namely Section A2.2.9 of its General Regulations which states in relevant part as follows:

Service will be discontinued if any law enforcement agency, acting within its apparent jurisdiction, advises in writing that such service is being used in violation of law.

Mr. Cunningham's correspondence indicates that South Central Bell has been notified in writing by the Kentucky State Police that certain pay telephones on the premises of the Kentucky State Penitentiary at Eddyville, Kentucky, are being used for unlawful purposes. South Central Bell has responded to Mr. Cunningham (as evidenced by copies of correspondence submitted to this Commission by Mr. Cunningham) that the Company can take no action on removing the pay telephones until specifically requested to do so by the Kentucky Department of Corrections, which has jurisdiction over the Eddyville penitentiary.

Based upon the above-recited facts and being advised, the Commission hereby finds that a public hearing is required to properly consider the issues raised by the complaint. Accordingly, the Commission, on its own Motion, HEREBY ORDERS that this matter be and it hereby is set for hearing in the Commission's offices at Frankfort, Kentucky on August 26, 1981, at 10:00 A.M., E.D.T. for the purpose of receiving testimony from all interested parties in this matter.

Done at Frankfort, Kentucky this 6th day of August, 1981.

PUBLIC SERVICE COMMISSION

Martin M. Volz
Chairman

Katharine Randall
Vice Chairman

Jim Harza
Commissioner

ATTEST:

Secretary